

1 AMENDMENT TO SENATE BILL 113

2 AMENDMENT NO. _____. Amend Senate Bill 113 on page 1, by
3 replacing lines 1 and 2 with the following:

4 "AN ACT concerning the public welfare and safety."; and
5 on page 1, immediately below line 4, by inserting the
6 following:

7 "Section 3. The Park District Code is amended by changing
8 Section 8-23 as follows:

9 (70 ILCS 1205/8-23)

10 Sec. 8-23. Criminal background investigations.

11 (a) An applicant for employment with a park district is
12 required as a condition of employment to authorize an
13 investigation to determine if the applicant has been
14 convicted of any of the enumerated criminal or drug offenses
15 in subsection (c) of this Section or has been convicted,
16 within 7 years of the application for employment with the
17 park district, of any other felony under the laws of this
18 State or of any offense committed or attempted in any other
19 state or against the laws of the United States that, if
20 committed or attempted in this State, would have been
21 punishable as a felony under the laws of this State.

1 Authorization for the investigation shall be furnished by the
2 applicant to the park district. Upon receipt of this
3 authorization, the park district shall submit the applicant's
4 name, sex, race, date of birth, and social security number to
5 the Department of State Police on forms prescribed by the
6 Department of State Police. Upon submission the Department
7 of State Police shall conduct an investigation to ascertain
8 if the applicant being considered for employment has been
9 convicted of any of the enumerated criminal or drug offenses
10 in subsection (c) of this Section or has been convicted,
11 within 7 years of the application for employment with the
12 park district, of any other felony under the laws of this
13 State or of any offense committed or attempted in any other
14 state or against the laws of the United States that, if
15 committed or attempted in this State, would have been
16 punishable as a felony under the laws of this State. The
17 Department of State Police shall charge the park district a
18 fee for conducting the investigation, which fee shall be
19 deposited in the State Police Services Fund and shall not
20 exceed the cost of the inquiry. The applicant shall not be
21 charged a fee by the park district for the investigation.

22 (b) The Department of State Police shall furnish,
23 pursuant to positive identification, records of convictions,
24 until expunged, to the president of the park district or his
25 or her designee. Any information concerning the record of
26 convictions obtained by the president or his or her designee
27 shall be confidential and may only be transmitted to those
28 persons who are necessary to the decision on whether to hire
29 the applicant for employment. A copy of the record of
30 convictions obtained from the Department of State Police
31 shall be provided to the applicant for employment. Any
32 person who releases any confidential information concerning
33 any criminal convictions of an applicant for employment shall
34 be guilty of a Class A misdemeanor, unless the release of

1 such information is authorized by this Section.

2 (c) No park district that has authorized an
3 investigation shall knowingly employ a person who has been
4 convicted for committing attempted first degree murder or for
5 committing or attempting to commit first degree murder, a
6 Class X felony, or any one or more of the following offenses:
7 (i) those defined in Sections 11-6, 11-9, 11-14, 11-15,
8 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20,
9 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15, and 12-16 of
10 the Criminal Code of 1961; (ii) those defined in the Cannabis
11 Control Act, except those defined in Sections 4(a), 4(b), and
12 5(a) of that Act; (iii) those defined in the Illinois
13 Controlled Substances Act; and (iv) any offense committed or
14 attempted in any other state or against the laws of the
15 United States, which, if committed or attempted in this
16 State, would have been punishable as one or more of the
17 foregoing offenses. Further, no park district that has
18 authorized an investigation shall knowingly employ a person
19 who has been found to be the perpetrator of sexual or
20 physical abuse of any minor under 18 years of age pursuant to
21 proceedings under Article II of the Juvenile Court Act of
22 1987. In no event is a park district required to conduct an
23 investigation on any individual who is (1) under 18 years of
24 age or (2) an employee rehired within a 12-month period upon
25 whom an investigation has been previously conducted. No-park
26 district-shall-knowingly-employ-a-person-for-whom-a--criminal
27 background-investigation-has-not-been-initiated-
28 (Source: P.A. 91-885, eff. 7-6-00.)".